

## REMARKS

Reconsideration of the above-identified patent application in view of the amendments above and the remarks following is respectfully requested.

Claims 1, 3-10, 13-15, 17-21 and 24-30 are in this case. Claims 1, 6-10, 13-15, 18-21, 24, 25 and 30 have been rejected under § 102(e). Claims 3-5 and 17 have been objected to. Claims 23-26 have been allowed. Claims 1, 6-10, 13-15, 18-21, 24, 25 and 30 have been canceled.

The claims before the Examiner are directed toward a method of link-level flow control and a network communication apparatus that uses that method. To each logical link, from a plurality of logical links in a physical link between a transmitter and a receiver, is assigned a respective maximum limit of transmission credit that corresponds to space available in a dynamically allocable portion of a buffer in the receiver. The sum of all the maximum limits corresponds to a space substantially larger than the dynamically allocable portion of the buffer. In response to traffic from the transmitter to the receiver, the receiver allocates credit to a logical link up to the logical link's respective maximum limit, as long as the total allocated credit does not exceed the dynamically allocable portion of the buffer. The transmitter transmits to the receiver responsive to this allocation, for example by not transmitting data whose size exceeds the allocated credit.

### § 102(e) Rejections – Fan et al. '165

The Examiner has rejected claims 1, 6-10, 13-15, 18-21, 24, 25 and 30 under § 102(e) as being anticipated by Fan et al., US Patent No. 6,324,165 (henceforth, Fan et al. '165"). The Examiner's rejection is respectfully traversed.

Claims 1, 6-10, 13-15, 18-21, 24, 25 and 30 have been canceled, thereby rendering moot the Examiner's rejection of these claims.

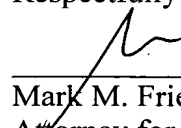
### **Objections**

The Examiner has objected to claims 3-5 and 17. The Examiner has stated that claims 3-5 and 17 would be allowable if rewritten to overcome certain objections under § 112, second paragraph and to include all of the limitations of the base claim and any intervening claims.

The Examiner's objection is respectfully traversed. There are no § 112, second paragraph rejections in the United States Patent and Trademark Office Action mailed August 5, 2004. Claims 3-5 are allowable by virtue of depending from claim 26. Claim 17 is allowable by virtue of depending from claim 28.

In view of the above amendments and remarks it is respectfully submitted that independent claims 26-29, and hence dependent claims 3-5 and 17 are in condition for allowance. Prompt notice of allowance is respectfully and earnestly solicited.

Respectfully submitted,



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Mark M. Friedman  
Attorney for Applicant  
Registration No. 33,883

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